

REMARKS

The Official Action of February 23, 2005, and the prior art cited and relied upon therein have been carefully studied. The claims in the application remain as claims 1-58, and these claims define patentable subject matter warranting their allowance. Accordingly, applicants respectfully request favorable reconsideration and allowance.

Claims 1-21, 23-35, and 37-57 are as originally filed, whereas claims 22, 36, and 58 are currently cosmetically amended above. No new matter has been added.

Claim 1 has been rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,256,664 to Donoho et al (Donoho). This rejection is respectfully traversed.

The Applicant respectfully submits that Donoho describes none of the elements of claim 1, and that Donoho in its entirety is of no relevance to the invention claimed in claim 1. Donoho describes techniques for distributing and targeting information, particularly automated technical support information. Donoho nowhere describes the propagation history of e-mail, which is a central aspect of claim 1.

The rejection indicates that Donoho teaches the first step of claim 1 at col. 14, lines 41-42; col. 19, lines 1-4; col. 20, line 67; col. 21 lines 1-3; col. 38, lines 15-

19; and col. 53, lines 40-42. The Applicant respectfully submits that none of these excerpts, either individually or in combination, teaches determining one or more steps in a propagation history of an e-mail, as recited in the first step of claim 1. In particular:

Col. 14, lines 41-42 of Donoho read: "... Internet mail; it contains headers documenting the sender of the message and its subject, and mechanisms. ..." This excerpt describes the well-known MIME protocol, which is one means described by Donoho for packaging "advisories," which are "specially structured digital documents" (col. 3, lines 14-15). Although it is well known in the art that e-mail protocols, including MIME, use headers documenting the sender of a message, Donoho specifically states that it is using MIME for a purpose **other than** packaging e-mail:

Thus, MIME becomes a tool, *not for packaging e-mail*, but instead for packaging a new kind of document, i.e. the advisory. To avoid confusion, it should be appreciated that *an advisory is unlike e-mail* because *an advisory does not have an intended recipient or list of recipients*. Rather, it is a broadcast message. ... The advisory is part of a new form of communications which can be implemented within the MIME standard. The advisory application of MIME addresses a different problem than e-mail by omitting certain MIME clauses which were used for e-mail, and by adding new specialized clauses which are used in the relevance determination and advice management process (col. 22, lines 50-65 [emphasis added]).

Not only does Donoho not describe determining a propagation history of an e-mail, as recited in the first step of claim 1, Donoho explicitly states that an advisory is not e-mail, and does not even include "an intended recipient or list of recipients."

Donoho thus does not teach "processing a data set containing transmission data associated with the e-mail..., the transmission data including identifiers of a sender of the e-mail and of one or more recipients of... the e-mail," as recited in the first step of claim 1.

Col. 19, lines 1-4 of Donoho read: "[C]onsumer forwards information to another. This may include friends, family, colleagues, or associates. Forwarding may involve off line transport or electronic transport, such as e-mail." This excerpt, which describes forwarding an "advisory," does not appear to be relevant to the first step of claim 1.

Col. 20, line 67 - col. 21, line 3 of Donoho read: "...The recipient of the message can verify the integrity of the message by computing the same functional and verifying that it produces the same result as that appended to the message." This excerpt, which describes the well-known use of a checksum, does not appear to be relevant to the first step of claim 1.

Col. 38, lines 15-19 of Donoho reads: "Many computer software applications and processes maintain a log file or files that contain a record of the history of execution of the application or process. Standard examples of this include transaction logs kept by mail servers and by login daemons, backup logs kept by backup software, and error logs kept by user programs." This excerpt, which describes the well-known use of a log, does not appear to be relevant to the first step of claim 1.

Col. 53, lines 40-42 of Donoho reads: ". . . When relevant advisories are identified, the advice reader displays to the human consumer the explanatory content of the relevant advisory." This excerpt does not appear to be relevant to the first step of claim 1.

Regarding the excerpts cited by the Examiner and discussed above, the Examiner states, "here, advisors treated as sender or receiver." The Applicant is uncertain what this statement means, because none of the excerpts cited by the Examiner mentions "advisors," and the one use of the word "advisor" in the Donoho patent is non-descriptive. ("Advisories" are mentioned, but these are different from "advisors.") Even if it is assumed that, for the purposes of attempting to be fully responsive to the grounds of rejection, "advisors" means those entities that formulate

and/or send "advisories," Donoho still does not teach any of the elements of the first step of claim 1, as described above.

The PTO argues that Donoho teaches the second step of claim 1 in col. 18, lines 32-34, which read (beginning at line 31): "After relevance has been decided for an item in the advice pool, a relevant item may be entered into a list of items to be displayed. This list may be displayed to the consumer according to typical user-interface models." This excerpt describes displaying a list of relevant advice, and does not describe displaying a propagation history, and is therefore not relevant to the second step of claim 1, which recites "displaying the propagation history."

In summary, the Applicants respectfully submit that neither Donoho as a whole, nor any of the particular excerpts cited by the rejection, either individually or in combination, disclose or even teach determining or displaying one or more steps in a propagation history of an e-mail, as recited in claim 1. The Applicants thus submit that claim 1 is not anticipated by Donoho.

Withdrawal of the rejection is in order and is respectfully requested.

As pointed out by the Examiner, claims 23 and 37 have recitations similar to those of claim 1, and have been

rejected for the same reasons as claim 1. The Applicant thus suggests and submits that these claims are also not anticipated by Donoho, for the same reasons discussed above with respect to claim 1.

Claims 2-21, 24-35, and 38-57 depend, directly or indirectly, from claims 1, 23, and 37, respectively. In light of the above-noted patentability of claims 1, 23, and 37, the Applicant respectfully submits that claims 2-21, 24-35, and 38-57 are allowable, because they depend from and thus incorporate the patentable subject matter of respective independent claims from which they depend.

Claim 22 has been rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,256,664 to Raghunandan. Raghunandan, including in the excerpt identified by the Examiner (col. 7, line 66 - col. 8, line 5), does not describe indicating a location of the sender on a hierarchy. Instead, Raghunandan describes *classifying* an e-mail within a hierarchy according to its sender. The rejection is respectfully traversed.

Nevertheless, to more clearly differentiate claim 22 from Raghunandan, in order to expedite allowance of the claim, the Applicant has amended claim 22 to specify that the hierarchy is "a hierarchy of an organization." This

amendment finds support throughout the specification as originally filed, including: "In a preferred embodiment of the present invention, the user's computer provides a graphical display of the organizational hierarchy (e.g., a tree)" (p. 3, lines 24-26). Raghunandan does not describe the use of a hierarchy of an organization. Raghunandan instead describes constructing a hierarchy based on keyword, key phrase, sender, user, subject, date, size, and/or domain name, all of which are attributes derived from the e-mails themselves. Furthermore, the Applicant submits that constructing a hierarchy of an organization would not be obvious in light of Raghunandan, particularly given that none of these attributes, alone or in combination, would be sufficient to enable Raghunandan's system to construct a hierarchy of an organization.

Withdrawal of the rejection is in order and is respectfully requested.

The Applicant has additionally currently amended claims 36 and 58, which are parallel to claim 22, to include the same additional recitation that the hierarchy is one of an organization. In light of these amendments and remarks, the Applicants respectfully submit that claims 22, 36, and 58 are now in a condition for allowance.

(In light of the suggested patentability of claims 1, 23, and 37, the Applicants believe that the following discussion is not relevant to the patentability of any claims of the present application. The Applicants nevertheless wish to make this discussion a part of the written record of the prosecution of the present application. The Examiner rejected, under 35 U.S.C. 103(a), claims 4-7, 26-29, and 40-43 as being unpatentable over Donoho in view of US Patent 6,832,244 to Raghunandan, and claims 8-10, 30-31, and 44-46 over Donoho and Raghunandan in view of US Patent Application Publication 2002/0087679 to Pulley et al. The present application and the application that issued as the Raghunandan patent were commonly owned by the same person (International Business Machines Corporation) at the time the invention of the present application was made. The Raghunandan patent issued on December 14, 2004, after the January 4, 2002 filing date of the present application, and thus only qualifies as potential prior art against the present application under 35 U.S. 102(e). Therefore, pursuant to 35 U.S.C. 103(c), the Raghunandan reference is not available under 35 U.S.C. 103(a) as potential prior art against the present application.)

The Examiner noted that the following references have been made of record and are considered pertinent by the

Examiner to Applicant's disclosure: US Patent 6,076,101 to Kamakura et al., US Patent Application Publication 2002/0099777 to Gupta et al., US Patent Application Publication 2002/0129106 to Gutfreund, and Gülcü et al., "Mixing e-mail with BABEL," Network and Distributed System Security, 1996, Proceedings of the SNDSS, 22-23 Feb. 1996, pp. 2-16. Applicant has reviewed these references, and believes that none of the claims in the present application is anticipated by or obvious in light of any of these references.

Thus, the prior art documents made of record and not relied upon have been noted, along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their application against any of applicant's claims.

Applicants believe the amendments and remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, Applicants respectfully submit that all of the claims in the present application are now in order for allowance. Notice to this effect is respectfully requested.

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Favorable reconsideration and allowance are
therefore earnestly solicited.

Respectfully submitted,

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By

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